

Michigan
Department
of Human
Services

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Articles in Today's Clips

Friday, June 30, 2006

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State department awards council grant for youth

Detroit Free Press

June 30, 2006

The Michigan Department of Human Services awarded the Arab American and Chaldean Council (ACC) a Summer Youth Initiative Grant in the amount of \$21,600 to provide summer programming to at-risk youth.

The Summer Youth Initiative is an annual Wayne County Department of Human Services event to provide cultural, recreational and educational activities for children between the ages of 10-17.

ACC's Summer Youth Camp will provide six weeks of enrichment and recreational activities for 35 Detroit youth between the ages of 9-14.

For more information on ACC services, please go to www.myacc.org.

SafeHouse plans last appeal of \$483,000 penalty by state

Shelter fears financial disaster after ruling requiring repayment

Friday, June 30, 2006

BY ART AISNER

Ann Arbor News Staff Reporter

The chances of SafeHouse Center avoiding a \$483,000 penalty to the state for the inappropriate actions of a former director are dwindling.

Administrators of Washtenaw County's shelter for victims of sexual abuse and domestic violence learned this week that the **Michigan Department of Human Services** denied their appeal of an order to repay the money. The state claims it can't prove the grants actually reached people SafeHouse is supposed to help.

Executive Director Barbara Niess said they intend to file a secondary and final appeal sometime today, with hopes of preventing what could be a fiscally catastrophic decision.

"I'm just perplexed by this decision because we proved our case, no question about it," Niess said. "If we're forced to pay the entire amount with zero flexibility, I don't see how we could continue."

The program and shelter serve about 5,000 people annually with a 42-member staff, roughly 150 volunteers and an annual budget of \$1.7 million.

While the state acknowledged the financial hardship for the nonprofit, it took a hard line in the three-page decision.

"SafeHouse makes a compelling argument that they will probably go out of business if they are forced to pay all of the questioned costs. Unfortunately, the state of Michigan cannot consider the financial status of the organization in making their decision. There are federal regulations that must be adhered to," the decision states.

In April 2005, the state ordered SafeHouse to repay more than \$483,000 it received in federal grants dispensed by the state from 2000-03 because auditors could not verify that the organization delivered services. The audits were in response to a criminal investigation of former SafeHouse Executive Director Susan McGee, who resigned in 2002 after admitting she falsified federal and state financial records to cover up delinquent tax payments.

McGee, who had served as executive director since 1987, pleaded guilty to filing a false statement. She admitted that in 2001 she submitted an audit for fiscal year 2000 to the Michigan Family Independence Agency (now DHS) and signed the name of an accountant who had not performed an audit for SafeHouse since 1991.

There is no evidence McGee personally benefited from the funds, but her actions led to sweeping financial controls within the organization and a concerted effort to combat doubts on the

organization's credibility. SafeHouse also had to pay \$191,000 in tax penalties to the IRS as a result of the fraud.

Niess said that the appeal included more than 100 cases of women SafeHouse helped during the affected time period. But a joint review team of SafeHouse staff and the Michigan Domestic Violence Prevention and Treatment Board could not agree on the number of cases that actually met all the criteria for state-funded programs, according to the DHS decision.

DHS spokeswoman Maureen Sorbet said she could not characterize how many appeals the agency denies since most don't reach the appellate level. Following audits with disputed figures, the parties frequently negotiate a settlement, she said.

If granted by DHS Director Marianne Udow, a secondary appeal could be heard in the fall. If denied again, SafeHouse could take the matter to circuit court, Sorbet said. If not, the department expects payment in full though Sorbet could not detail a specific timeline or payment plan.

Niess said SafeHouse continues to raise money for operations and programming expenses. If the appeal fails, she said, any funds used to repay the state would have to come from an independent fundraising effort. There is no reserve or contingency fund to absorb the cost. The organization has not received the full \$40,000 in restitution from McGee ordered by court, Niess said.

SafeHouse, formed in 1975, provides shelter, counseling and other services to survivors of domestic violence and sexual assault in Washtenaw County. In 1992, the county passed what was then the only property tax millage in the nation dedicated to the construction and maintenance of a shelter for battered women. SafeHouse Center is in Pittsfield Township. Art Aisner can be reached at aaisner@annarbornews.com or 734-994-6823.

Boyfriend again accused of assault

Warren man was charged earlier this year after arrest for kidnapping girlfriend

PUBLISHED: June 30, 2006

By Norb Franz

Macomb Daily Staff Writer

A Warren man described as a "jealous" boyfriend after he admitted to assaulting his girlfriend earlier this year faces new legal troubles that would violate his probation.

James Ryan Garvin, 22, was charged this week with second-offense domestic violence, possession of drugs and reckless driving, following an argument with 18-year-old Nicole Carter, Warren police said.

Earlier this year, Macomb County prosecutors charged Garvin with kidnapping and domestic violence after alleging he held Carter, 18, against her will for two days in December inside his home on Chippewa Street. He was accused of assaulting her and shaving off her long hair.

Carter's mother testified during a court hearing in January that her daughter told her Garvin would kill her if she left the house with her.

But the young woman testified otherwise, insisting her boyfriend didn't kidnap her and struck her only after she hit him during an argument. At that preliminary exam in 37th District Court, Judge Dawnn Gruenburg ordered Garvin to stand trial for the lesser offense of aggravated domestic assault. However, Gruenburg refused to reduce his \$250,000 bond.

In a plea bargain, Garvin later pleaded guilty to domestic violence. In what she described as a "very guarded" sentence, the judge Feb. 16 sentenced him to 51 days in jail with credit for that many days he had already served behind bars. Gruenburg also placed Garvin on two years probation and ordered him to undergo psychiatric evaluation, enroll in an academic program, take any medication that a doctor may prescribe for mental illness, and to not consume alcohol or illicit drugs.

"I think you're way too jealous," Gruenburg told Garvin at the time.

In May, the judge slapped Garvin with one day in jail after he failed a drug test in violation of his probation, court officials said.

His latest brush with police occurred Sunday afternoon, after witnesses heard Garvin and Carter arguing in the 31000 block of Wellston.

According to a police report, one witness said she saw the couple arguing and that the male driver of a pickup truck began to pull away as the female tried to exit the vehicle. The witness said the driver accelerated quickly and slammed on the brake, causing a skid.

Another witness reported Garvin stood at the passenger door of the 1994 Dodge Ram and yelled at the young woman as she tried to push past him while screaming, "Let me out!"

The witness told police the angry man told Carter: "You think I'm going to jail!" Carter exited the pickup crying, police said, and told officers the argument began because she told her boyfriend she was "with someone else," the report states. However, Carter insisted she was not pushed or struck by Garvin and only wanted to go home and she would not press a criminal complaint, according to the report.

When police arrested Garvin moments later during a traffic stop at Wellston and Masonic Boulevard, he was in possession of a pill that he claimed was Motrin and for which he had a prescription, police said. The drug was Darvocet, a prescription painkiller, police reported. Garvin also carried \$4,365 in cash at the time, police said.

At Garvin's arraignment Monday, 37th District Judge John Chmura set bond at \$10,000 and ordered him to not have contact with Carter. A preliminary hearing in the case is scheduled for July 6.

Budget pact nixes welfare limits, boosts k-12 by \$210, higher ed 3 %

Gongwer News Service

Special Update, Friday, June 30, 2006, 12:04 pm

A tentative budget agreement between the Granholm administration and legislative leaders omits provisions on a four-year time limit for welfare recipients, provides a \$210 per pupil increase in the school aid foundation grant and a 3 percent increase for both universities and community colleges, sources said.

The tentative agreement also includes an expansion of the Jobs, Education and Training pilot program for welfare recipients; funds in the school aid bill for districts with declining enrollment, equity to boost money for lower-spending districts and for middle school math and science programs (about \$20 million each); and a new State Police Trooper school. It does not include any revenues from closing tax loopholes.

Details of the agreement are expected to be announced early Friday afternoon, and the budget would then be handed over to conference committees beginning in two weeks with final action expected by the end of July. The negotiations concluded after 9 p.m. Thursday and Governor Jennifer Granholm, Senate Majority Leader Ken Sikkema (R-Wyoming) and House Speaker Craig DeRoche (R-Novi) were completing their review of the final details Friday morning. Complete coverage will be included in the Michigan Report published later today.

Foster families win key court ruling in Arkansas

The Carpetbagger Report

<http://www.thecarpetbaggerreport.com/archives/7812.html>

In 1999, Arkansas' child welfare board banned gay people from becoming foster parents, arguing kids would be better off in orphanages. Four residents sued, claiming discrimination. Today, the state Supreme Court agreed.

Arkansas cannot ban homosexuals from becoming foster parents because there is no link between their sexual orientation and a child's well-being, the state's high court ruled Thursday. [...]

The justices agreed Thursday, saying the ban was "an attempt to legislate for the General Assembly with respect to public morality."

"There is no correlation between the health, welfare and safety of foster children and the blanket exclusion of any individual who is a homosexual or who resides in a household with a homosexual," Associate Justice Donald Corbin wrote in the opinion.

In addition, the court said, the testimony of a Child Welfare Agency Review Board member demonstrated that "the driving force between adoption of the regulations was not to promote the health, safety and welfare of foster children but rather based upon the board's views of morality and its bias against homosexuals."

State officials had also argued that kids raised by gay foster parents suffered from "academic problems" and "gender identity problems," but the court didn't buy the argument (probably because the state couldn't produce any evidence to back up the bogus claim).

'Morals' trump common sense, children's welfare

Stahl pushes anti-adoption bills out of committee

By Dawn Wolfe Gutterman

<http://www.pridesource.com/article.shtml?article=19318>

Originally printed 6/29/2006

Issue 1426 - Between The Lines News

LANSING - Placing the "freedoms" of faith-based adoption agencies above the needs of children, Rep. John Stahl and the Committee on Family and Children's Services approved two bills that would allow.

House Bills 5908 & 5909, which were approved by the committee June 22 and sent to the full House, would allow adoption agencies to refuse placement of children in homes to which the agencies have a "moral objection." Both bills enjoy the sponsorship of known anti-gay legislators such as Jack Hoogendyk (R-Kalamazoo), Barb Vander Veen (R-District 89) and William VanRegenmorter (R-District 74) and are seen as an attempt to allow conservative adoption agencies to refuse to place children in homes headed by same-sex couples.

According to Sean Kosofsky, policy director for the Triangle Foundation, all five of the committee's Republicans voted in favor of the bills.

"It was a really difficult and frustrating process because I don't think that everyone who voted for them likes them," Kosofsky said. "The chair was insistent that this thing pass regardless of the facts. He didn't care what evidence people had, and we still believe he was dishonest about having adoption agencies that had complained about the current law."

During a hearing earlier in the month, Stahl refused to produce evidence to back his claim that Michigan's adoption agencies are having trouble under current law. However, in a June 14 press release issued by the House Republican Communications Services, Stahl was enthusiastic about his reason for supporting the bills.

"This bill (5908) protects the freedoms of these groups as set forth since the earliest stages in the development of our country," Stahl said.

Bev Davidson, president of the Coalition for Adoption Rights Equality, said that she wasn't surprised that Stahl's committee had approved the bills.

"Any time you have an adoption or foster care bill that's going to limit the number of prospective parents, you know that bill's not in the best interest of children," said Davidson. "Hopefully the rest of the House members will see that these bills are not in the best interest of children." It would appear that the evidence supports Davidson's rather than Stahl's position on the matter. Professional and religious organizations including the National Association of Social Workers; the National Council of Jewish Women; the Episcopal Diocese of Eastern Michigan; and the Child Welfare League of Michigan support the legal recognition of second parent adoption, including adoption by same-sex couples.

House Speaker Craig DeRoche's office did not return calls from BTL seeking his position on the bills.

Speak out

Contact House Speaker Craig DeRoche, as well as your state Senator and Representative, and urge them to oppose any measure that would hurt children by allowing adoption and foster agencies to discriminate based on their religious preferences.

House Speaker Craig DeRoche can be reached by phone at 517-373-0827, by email at craigderoche@house.mi.gov, and by postal mail at 166 Capitol Building, P.O. Box 30014, Lansing, MI, 48909-7514.

For contact information for your state Representative call the Michigan State House Clerk's office at 517-373-0135 or visit http://house.michigan.gov/find_a_rep.asp.

For contact information for your state Senator visit <http://senate.michigan.gov> or call the Secretary of the Senate at 517-373-2400.

All kids count

Well-being of state's children must be on everyone's mind

Editorial

THE FLINT JOURNAL

Friday, June 30, 2006

As often seems to be the case, this year's Kids Count report offers bright spots amid gloom when it comes to the health and well-being of children in our community, our state and around the country.

Perhaps the most significant outcome of the annual study is that it keeps the issues affecting children front and center in the minds of the public and, most importantly, legislators and policymakers - no matter their town or district.

So, what is the good news? Overall, fewer teens are dying or getting pregnant, trends that thankfully hold true for young people in Genesee County as well.

As a state, Michigan is in the middle of the pack in child well-being, ranking 27th. This means we should strive to do much better, but we've also made progress.

According to Priority Children, the child advocacy group that provides the report, Michigan has improved when it comes to school dropout rates, teen births, child deaths, teen deaths, children living in single-parent families and the number of idle teens.

Unfortunately, we're not doing so well when it comes to the number of babies dying before their first birthday, and the county's numbers are higher than the state's. In addition to the infant mortality rate, poverty is on the rise. The number of Michigan youngsters living in poor homes jumped 29 percent, an ominous sign since child advocates note poverty goes hand-in-hand with a lot of the negative outcomes on which we've begun to show improvement.

Staying the course requires commitment to the programs already available and possibly the implementation of new ones. That's why this annual report along with its telling numbers is so important. Factors that threaten the health and safety of children need to be studied carefully and discussed fully by the folks who make the rules and hold the purse strings locally, in Lansing and in Washington. Without that occurring, the youngest and the most vulnerable among us risk being forgotten.

Aim higher for state's kids

Detroit Free Press editorial

June 30, 2006

Michigan's good news-bad news comparisons could hardly be more stark than those contained in the latest Kids Count compilation of national standings. For teens, some of the improvements are dramatic. For infants and children in poverty, the drop-off is nearly as great.

The Kids Count data give states a chance to compare successes or failures in improving the lot of their children. The annual report is when you see whether programs really moved the needle or just enabled a state to keep up with the tide.

By this measure, Michigan has been doing something right with teenagers' safety and health. The state jumped from 18th to 10th for its teen death rate from 2000-03. Presumably the graduated licensing system for new drivers has played a role, since traffic accidents are generally the biggest single cause of teen deaths.

Other statistics for teens also have shown improvement since 2000, although where statistics for 2004 are available, it's apparent the economy has begun to take a toll. Still, both the high school drop-out rate and the percent of teens not working or in school was better in 2004 than in 2000. With the rockier economic climate of 2005 and 2006 still unlogged, it's not clear whether those gains have held.

For younger children, the damage is already evident. Michigan dropped from 39th to 43rd for its infant mortality rate from 2000-03. The rate ticked up that year and has held relatively steady since. It's likely that other states have kept refining how they get prenatal care to pregnant women, leaving Michigan babies even further behind.

The percent of children in poverty has climbed steadily over the past 5 years, from 14% in 2000 to 18% in 2004. That dropped the state from 19th to 27th nationally, and presumably even more families now face hardship.

It is wonderful to be able to celebrate the progress made on behalf of teenagers in recent years. But today's babies and younger children will not reach their teen years in good shape unless this state buckles down to help all of them get a good start. Michigan must ensure they become capable adults who can participate in -- or even help deliver -- a prosperous future.

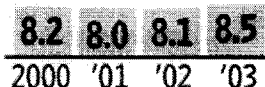
(See attached chart following)

How children are doing in Michigan

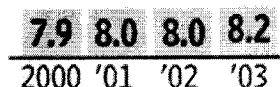
Benchmarks from the annual Kids Count report.

INFANTS

INFANT MORTALITY RATE
Deaths per 1,000 live births



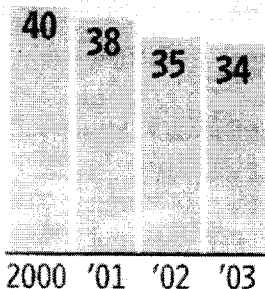
LOW BIRTH-WEIGHT BABIES
In percent



TEENS

TEEN BIRTH RATE

Teens having babies per 1,000 15- to 19-year-old females

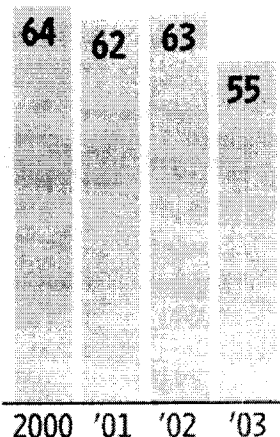


TEENS NOT ATTENDING SCHOOL OR WORKING

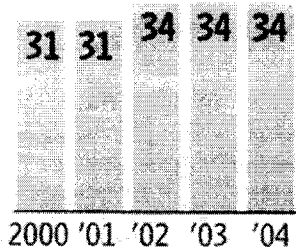
Percent of 16- to 19-year-olds



TEEN DEATH RATE
Per 100,000 15- to 19-year-olds

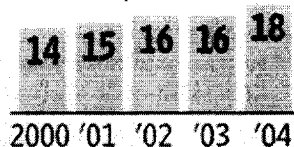


CHILDREN LIVING IN FAMILIES WHERE NO PARENT HAS FULL-TIME, YEAR-ROUND WORK
In percent

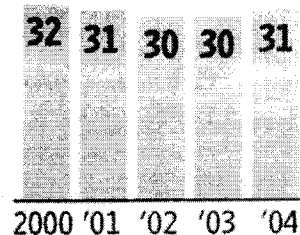


ALL CHILDREN

CHILDREN IN POVERTY
In percent



CHILDREN IN SINGLE-PARENT FAMILIES
In percent



Sources: Annie E. Casey Foundation, Skillman Foundation of Detroit, Blue Cross Blue Shield of Michigan Foundation and Michigan Association of United Ways

MARTHA THIERRY/Detroit Free Press

Quit stalling on fixing state overtime rules

Granolm should back up rhetoric about securing jobs

The Detroit News editorial

Friday, June 30, 2006

Republican state lawmakers made a technical mess for job providers when they cynically hiked Michigan's minimum wage earlier this year. They are trying to clean it up, but Gov. Jennifer Granholm is dragging her feet on signing a bill fixing the error.

That's poor leadership. The bill should be promptly signed -- or all her rhetoric about "going anywhere" to secure jobs for Michigan will ring hollow.

GOP lawmakers adopted higher minimum wages to forestall a Granholm-backed ballot issue that they feared would draw Democratic voters to the polls this fall and result in an even more irresponsible minimum wage hike.

Currently, the state minimum wage is the same as the federal minimum wage, \$5.15 per hour. Under new legislation, Michigan's minimum wage will rise to \$6.95 on Oct. 1 of this year and ultimately to \$7.40 in 2008.

This increase alone will cost young, inexperienced and low-skilled workers jobs. Most economists agree on that effect of higher minimum wages. Aside from providing a barrier to the most vulnerable of job seekers, usually poor and minority youth, minimum wage increases serve mainly to ratchet up already higher wages enjoyed by unionized workers by raising the floor for pay.

But GOP politicians were willing to impose that cost on vulnerable workers to make their own jobs more secure. In the process, however, they also created an administrative headache for job providers because a higher state minimum wage takes Michigan out of the existing overtime rules of the federal Fair Labor Standards Act.

Unlike the federal law, Michigan has no overtime exceptions for highly paid workers, traveling sales people, certain other commissioned sales people and different exceptions for professional, executive and professional workers.

Incidentally, it also doesn't have the federal overtime exceptions for certain newspaper employees. But newspapers are just one industry that now faces an administrative nightmare under the new state overtime rules.

The fix would restore the well-known federal overtime rules, while keeping the higher minimum pay. That should be good enough for the governor.

She ought to quit playing political games with the state's economy and let this technical fix go through.

Negotiations needed to resolve minimum wage fix

GONGWER NEWS SERVICE

THURSDAY, JUNE 29, 2006

Legislation to fix to the state's new minimum wage bill, which corporations argue is needed to prevent them from having to pay overtime to commission-paid workers and others, is back in the Senate as Republicans and Democrats try to negotiate a compromise that will let the change apply when the higher minimum wage kicks in October 1. At a minimum, Democratic sources say they want a change to a controversial 2004 Supreme Court ruling on who can file for disability payments.

Senate Republicans called the overtime exemption bill ([HB 6213](#)) back Thursday and is holding in on the floor. The bill passed Tuesday with no Democratic support, and fell short of winning immediate effect, which would delay it going into effect until spring 2007.

Sources said that Senate Democrats, as well as the administration of Governor Jennifer Granholm, want a vote on legislation that would reverse the Supreme Court's 2004 decision in *Kreiner v. Fischer*, which restricted disability claims to long-term impairment. In exchange Democrats could be willing to compromise when it comes to certain commission-based workers, and grant the bill immediate effect.

Ari Adler, press secretary for Senate Majority Leader Ken Sikkema (R-Wyoming), confirmed much of the suggestion, saying that the five-bill package that would expand the claims of injured persons – [SB 618](#), [SB 1000](#), [HB 4739](#), [HB 4846](#) and [HB 4940](#) – was floated “as an example of something Democrats might look favorably upon.”

Liz Boyd, press secretary for Governor Jennifer Granholm, did not discuss potential deals, or even whether the administration is seeking them, but said Ms. Granholm always hopes to be consulted on important legislation.

“Perhaps there will be more discussion, and that would be a good thing,” Ms. Boyd said.

Winning immediate effect to the bill is critical to its supporters.

A coalition, led by the Michigan Chamber of Commerce, said Thursday that if the bill is not passed with immediate effect before October 1, when the new minimum wage law goes into effect, up to 370,000 jobs, previously exempt from overtime regulations, will be at risk. Since the exemption bill without immediate effect would not apply until sometime around April, there would be a six-month period that could create “quite a bit of chaos,” said Wendy Black, spokesperson for the Coalition to Protect Overtime and Other FLSA Exemptions.

“In the campaign, so far, a lot of the rhetoric has been about jobs. If the Legislature and the governor are serious about those jobs, then they'll act on this legislation,” Ms. Black said.

The fix was being pushed because the minimum wage increase that Republicans engineered earlier this year may have left open the possibility that commission-paid workers, who do not

know get overtime, could become eligible for overtime payments. Corporations and others also worry the legislation would affect scheduling for nurses and other health care workers.

Democrats acknowledge that there are some changes needed to the bill, especially when dealing with commission-paid workers. However, one source also said there is some confusion over whether the bill needs clarification on which workers would be affected. There is, for example, disagreement between hospitals and the Michigan Nurses Association on whether the bill is needed to protect scheduling for nurses, the source said.

“A good way to make things better is to not make them worse,” said Mr. Adler. “The governor’s always saying she’s willing to go anywhere and do anything. She can do that by signing this bill.”

Mr. Adler said the legislation is on the calendar and will be voted on “when the Democrats come around.” When asked what the hitch was in the bill, he said, “the hitch is the Democrats don’t want to protect jobs.”

School employees mistakenly listed as felons

6/30/2006, 1:32 a.m. ET

The Associated Press

DETROIT (AP) — Several names of school employees erroneously appeared on a list of felons that state officials released recently.

The Michigan State Police confirmed a number of employees were mistakenly placed on the list. Among those wrongfully listed included Rena Lampkin, an office manager assistant at Chandler Park Academy in Detroit, who was listed incorrectly with a 1990 welfare fraud felony conviction, according to a letter from the Michigan Attorney General's office.

"I have worked so hard to build a name for myself, and I feel that it's all being destroyed in one day with a stroke of a pen," Lampkin told The Detroit News.

Under new state laws, felons can't work in schools unless they have written permission from the local superintendent and school board.

In Walled Lake Consolidated Schools, two employees were listed even though they don't have felony convictions, a district spokeswoman told the Detroit Free Press, who received the list Thursday. Employees at Birmingham and Dearborn Public Schools were also involved in the mix-up.

The background check list revealed that more than 450 school employees as of Jan. 1 had felony convictions.

School felony list includes inaccuracies

Three people didn't belong in document; other convictions also are called into question.

Marisa Schultz

The Detroit News

Friday, June 30, 2006

The names of at least three school employees erroneously appeared on a list of felons that state officials touted for its accuracy.

The Michigan State Police confirmed Thursday that Gleo Wade, a physical education teacher with Clintondale Community Schools, does not have a criminal history. The results of a background check of school employees released to The Detroit News on Wednesday incorrectly stated Wade had drug possession convictions in 1992, police said.

"Wade is a true victim of identity theft," Shanon Akans, spokeswoman for the state police, said in an e-mail. "A fingerprint-based search confirmed this."

Rena Lampkin, an office manager assistant at Chandler Park Academy in Detroit, also was listed incorrectly with a 1990 welfare fraud felony conviction, according to a letter from the Michigan Attorney General's Office.

The "felony welfare fraud case does not exist," the letter said.

Lampkin said the incorrect listing has been a nightmare. She fears the error will affect registration at her charter school and may create suspicion among parents.

"I have worked so hard to build a name for myself, and I feel that it's all being destroyed in one day with a stroke of a pen," she said.

The background check list revealed that more than 450 school employees as of Jan. 1 had felony convictions.

Under new state laws, felons can't work in schools unless they have written permission from the local superintendent and school board.

Jerry Sanney, a maintenance worker in Farmington Public Schools, was included as a convicted felon for malicious destruction of property. However, records proved Thursday that Sanney was convicted of a misdemeanor for the 1994 incident and should not have been included in the felony list.

At least three other conviction listings were called into question by either a school district or the employee. State police officials are expected to look into those claims today.

State officials said they worked hard to ensure accuracy of the background check. Police hand-checked the results and called some employees to confirm their identity. The Department of

Education sent notices to each school district May 9. They had 15 days to report any corrections to the state.

"Unless we were notified, there was no way for us to amend the list," Martin Ackley, spokesman for the Education Department, said in an e-mail.

You can reach Marisa Schultz at (313) 222-2310 or mschultz@detnews.com

Felon list is a dilemma for schools

Inaccuracies are cited as workers face the loss of jobs

June 30, 2006

BY LORI HIGGINS and CHASTITY PRATT
FREE PRESS EDUCATION WRITERS

When the Bloomfield Hills School Board learned two of its employees had been convicted of felonies decided to keep them anyway.

One was convicted of receiving and concealing stolen property in 1994; the other was found guilty of two counts of larceny in the late 1980s.

"They've been employed with us for quite some time and they've been outstanding employees. There have been no disciplinary problems," said Jennifer Woliung, spokeswoman for the district.

On Thursday, the state Department of Education released to the Free Press a list of more than 450 school workers in Michigan with felony records. Under new state laws, anyone with a sex offense must be fired automatically. A worker with a felony approval from school administrators and local Boards of Education to keep his or her job, a process many have already started and will be wrestling with throughout the summer. But in some cases, district officials say, the list is wrong. In others, they contend, it's simply unfair.

"Don't get me wrong, I don't believe we should have people who do harm to people, pedophiles, in our schools," said James Hawkins, superintendent of the Ypsilanti district. "But I think each case should be judged on its own merit."

Detroit Public Schools -- the state's largest district -- more than 200 names. On Thursday, officials said only about 135 are still employed by the district.

Across the state, four school employees were listed as having sex offenses on their records. Almost immediately after the list was made public, several districts reported the database included inaccurate information. In Walled Lake Consolidated Schools, two employees were listed even though they don't have felony convictions, said Judy Evola, spokeswoman for the district.

She said the district notified the Michigan Department of Education of the inaccuracies. "And they still have an inaccurate list," she said.

Law requirements

- New laws went into effect Jan. 1 that are designed to protect children in schools and day-care centers. The law requires:
- Fingerprinting and background checks for all school employees and anyone contracted to work regularly and continuously in a school.
- A ban on anyone convicted of any of the offenses included in the Sex Offender Registration Act from working in schools or day care centers.
- Criminal checks for those applying for or renewing a certificate of registration to operate a family day care home or group day care home, child-care center or day center.
- Criminal checks on anyone older than 18 residing in the home of a family day care home or group day care home when an application is filed to operate the center.
- A ban on sex offenders from working or loitering within 1,000 feet of school property.
- Notification from school employees charged with certain crimes within three working days.

Martin Ackley, spokesman for the state Education Department, said there was no record of any "communication or notification" from Walled Lake.

Meanwhile, Birmingham Public Schools spokeswoman Marcia Wilkinson said one woman listed as a felon was vindicated Wednesday; she had no record. And Dearborn Public Schools said the name of one employee "appears in error," said David Mustonen, district spokesman.

Karen Schulz, a spokeswoman with the Michigan Education Association, the state's largest union for school employees, said reports of inaccuracies streamed in all day Thursday, though she said the complaints were not as widespread as they were the first time districts were sent lists of convicted felons in February.

Back then, the widespread inaccuracies caused an uproar and resulted in lawsuits filed to stop the release of the employee names. A new list, which was to address the inaccuracies, was distributed to schools in May.

"This is extremely disheartening, to say the least," Schulz said. "We have members who are being accused as felons when they are not."

Now those employees may be in a fight to keep their jobs.

The Southfield Public Schools Board of Education decided June 20 to fire the five employees listed as felons; all of them are appealing their firings. The five included a woman, Connie Hester, who in 1978 was convicted of second-degree murder. Other felonies included theft, welfare fraud, larceny, bringing concealed contraband into a prison and drug possession.

The board "felt these were serious offenses," said Ken Siver, deputy superintendent. "And in some cases, the person didn't disclose this on their employment application."

Not all the districts decided to follow suit, however.

The Walled Lake school board voted June 1 to keep three employees who were accurately listed for felonies that included larceny, drunken driving and malicious destruction of property. The Bloomfield Hills district made its decision to keep its two workers on June 13.

Many school districts have not yet decided on what action to take.

Detroit Public Schools human resources officials will review the list for accuracy and expect to make decisions by September, said spokesman Lekan Oguntinyinbo.

"We're doing our own homework. We're doing our own background check on each of those people because we don't want to dismiss someone who may, in fact, not have been convicted of a felony."

Detroit school board member Reverend David Murray, chairman of the safety committee, said a felony conviction should not be an automatic grounds for removal.

"Whether or not they stay after being convicted of a felony in my opinion depends on how long ago the felony was and what the nature of the felony was," he said.

"Tax evasion is a crime but you wouldn't want it to stop a person from being a noon hour aide." Marie Carter-Jackson, a Detroit parent with three children in the district, said she doesn't think all employees with felony records should be fired.

"I'm willing to give a person a second chance, depending on what the felony is and as long as it doesn't have to do with child molesting or rape," she said. But if their crimes have been against children, she said, "I don't think they should be around children at all."

Contact **LORI HIGGINS** at 248-351-3694 or higgins@freepress.com

Suspect in death of 17-month-old to stand trial

By Ray Kisonas

Monroe Evening News

June 29, 2006 11:57AM

A judge on Wednesday ordered a Monroe woman accused of beating a toddler to death to stand trial for murder. First District Judge Terrence Bronson was convinced after the two-hour hearing that a homicide had occurred and there was evidence that suggested Sonya Moussaed, 27, was involved in the April 20 death of 17-month-old Gracie A. Simmons.

"I find that a homicide was committed," the judge said during his ruling that sends the case to circuit court where a trial will be scheduled. "The idea this was an accident was totally inconsistent to the testimony."

The judge referred specifically to the testimony of Monroe County Medical Examiner Dr. Carl Schmidt who testified that Gracie suffered a severe beating that included her head being slammed against a hard object seven times causing a skull fracture and brain injuries.

He ruled the cause of death was murder and dismissed suggestions by the defense that the toddler fell down stairs.

"I believe this child was thrown several times against a hard surface," Dr. Schmidt testified. "A fall down the stairs is not what happened."

Monroe County Assistant Prosecutor Allison Arnold called six witnesses, including Gracie's father, Joe Simmons. Ms. Moussaed, Mr. Simmons' girlfriend at the time of Gracie's death, sat in a black-and-white jail uniform and showed little emotion during the proceedings.

Dr. Schmidt said on the stand that the toddler suffered a severe beating that included being slapped several times so hard that she bit her tongue deeply and caused tearing inside her mouth.

The child suffered numerous other injuries, including bruising to her back and neck, and a burn to her ankle that appeared to be caused by a cigarette, Dr. Schmidt said.

Dr. Schmidt delivered his graphic testimony about the injuries and the ensuing autopsy in the courtroom, where Gracie's mother, Holly Preston, her parents, friends and other relatives were seated. Several wept. Gracie died two months ago while in the care of Ms. Moussaed, whose 2 ½-year-old son, J.J., also lived at the Hubble St. home. Mr. Simmons and Ms. Moussaed lived together with the two children for about 1 ½ years.

In court on Wednesday, friends testified that they never saw Ms. Moussaed treat the children inappropriately and Mr. Simmons said he was generally satisfied with the care Ms. Moussaed provided his daughter while he worked the midnight shift.

On the night of his daughter's death, Mr. Simmons testified that he came home early in the morning and went to bed.

About two hours later Ms. Moussaed brought him an unconscious Gracie.

"She was limp and pale," Mr. Simmons said quietly on the stand, his lower lip quivering.

A Monroe police detective testified that Ms. Moussaed was interviewed several times during the investigation and gave conflicting stories.

Detective Bryan Gee testified that in one of the interviews, Ms. Moussaed told a Michigan State Police sergeant that on the night of the baby's death she drank Oberon beer and Goldschlager liqueur.

"I was pretty buzzed," Detective Gee quoted her as saying.

Detective Gee testified that Ms. Moussaed stated the baby tripped and fell earlier that night and hurt her lip. Then later that evening, Ms. Moussaed said, she was carrying her up the stairs and dropped Gracie, who fell down the stairs.

Ms. Moussaed is being defended by Monroe attorney Lawrence Coogan, who did not call any witnesses. Mr. Coogan tried to discuss the issue of bond, but Judge Bronson cut him short.

"You want me to address bond? Forget it," Judge Bronson said.

Ms. Moussaed was sent back to the county jail. Her next court date is July 14 when she will be arraigned in Monroe County Circuit Court.

Father charged in abduction after 30 years

Web-posted Jun 30, 2006

By STEPHEN FRYE

Of The Oakland Press

PONTIAC - An Arizona man accused of kidnapping his daughter three decades ago and telling her that her mother died was arraigned Thursday.

Eric Douglas Nielsen, 54, is charged with parental kidnapping, and it appears that prosecutors can seek only a year and a day as the maximum sentence because of the laws of 1976, according to sheriff's officials and the chief deputy prosecutor.

Nielsen was arraigned in the 50th District Court, where bond was set at \$500,000 cash, said Undersheriff Michael McCabe. He is accused of taking his 2-year-old daughter out west from Oakland County in 1976 and telling her that her mother had died.

"There's a distinction between parental kidnapping and traditional kidnapping," said Chief Deputy Oakland County Prosecutor Deborah Carley.

McCabe said that Nielsen was picked up in Arizona after he finished serving a seven-year sentence related to an assault.

"He was released from prison in Arizona when we picked him up," McCabe said. "We were waiting for him to get out."

The mother now lives in Frederic, Mich., and she has since been reunited with her daughter, Genevieve, who is now 32, through telephone conversations.

At his arraignment, McCabe said Nielsen waived his preliminary examination and was bound over to circuit court, where he will be arraigned in coming weeks.

Carley said that prosecutors will go after the case no matter how old it is.

"There's no way of getting back what that girl lost, which was her mother," Carley said. "For the mother, there is never anything that will give back the time with her daughter. What sentence brings back family?"

"But even 30 years old, we will prosecute."

The allegation is that he picked up his daughter for a visitation during the couple's divorce and never returned. He lived under an assumed name in Florida, California and Arizona.

Nielsen's attorney, Pontiac-based Richard Morgan Jr., could not be reached for comment late Thursday.

MySpace teenager agrees to stay put

Deal requires girl, who flew to Middle East to meet man, to attend counseling, finish school.

David Runk / Associated Press

Friday, June 30, 2006

CARO, Mich. -- Katherine Lester, the teen who flew to the Middle East to be with a man she met on MySpace.com, avoided the possibility of court supervision under a deal Thursday with prosecutors and her parents.

The Tuscola County prosecutor's office withdrew a runaway juvenile petition filed last week as part of the agreement that requires her to surrender her passport, finish high school, complete counseling and not leave the state without written consent from her parents or a court order.

If Lester, 17, fails to comply with any of the terms, the prosecutor may reauthorize the petition. Lester and her father left the courthouse without commenting to reporters. Afterward, her lawyer, Duane Burgess, said: "She would like to put this behind her."

Had the case gone forward, Kent could have placed Lester under court supervision until she turns 18 in June 2007.

Prosecutor Mark E. Reese said his office's primary concern in filing the petition was Lester's health, safety and welfare, and that could be addressed under the agreement, which expires on her 18th birthday.

"We want her to be able to make an informed decision. She's going to have a right to do that when she turns 18, but let's give her the opportunity to reflect upon the decisions that she's already made," Reese said.

Lester developed an online romance with Abdullah Jimzawi, 20, a Palestinian who lives in the West Bank. For months, she kept the relationship secret before disappearing June 5 from her mother's home in Gilford, Mich.

Then 16, she was intercepted in Amman, Jordan, by U.S. authorities who seized her passport and put her on a flight back to the United States.

Katherine Lester and Jimzawi still talk online, and she has said she wants to marry him.

Attorneys try to resolve case against teachers

Detroit News

Friday, June 30, 2006

A pretrial exam for two Madison Middle School teachers charged with failing to report suspected sexual abuse of a 12-year-old girl was adjourned for two weeks Thursday at the request of their attorney, Elbert Hatchett. Hatchett told Pontiac 50th District Judge Preston G. Thomas that he is working with the prosecutor's office to resolve charges against teachers Lisa Powe and Carol Fleming. Authorities say the teachers contacted the girl's mother about suspected abuse rather than state welfare officials as required by law. Officials said the girl was sexually assaulted for another nine months before authorities were notified. The charge is a misdemeanor punishable by 93 days in jail.

Parents failing

Friday's letters to the editor

Published June 30, 2006

Lansing State Journal

One of the reasons so many children are being kicked out of day care is that they are brats. Yet the June 25 article, "Disruptive tots tossed out," made no mention of the role parents play in this problem.

All you have to do is walk down the aisle of the grocery store and see how many kids are screaming, throwing temper tantrums or running wild. About 90 percent of the time, their parents are doing nothing to stop them. It is obvious these children never hear the word "no."

My best girlfriend ran a day care for a short time and often told me that toddlers came to her home using language the LSJ is not allowed to print. When she informed their parents, they did not care.

It is not the responsibility of day-care providers to teach children how to behave in a public setting.

Fran Donbrosky
Lansing

Tentative deal struck in teen-sex-photo case

Friday, June 30, 2006

By Ed White

Kalazamoo Gazette News Service

ALLEGAN -- A tentative deal has been reached in the case of a young Wayland man charged with taking pictures of two teenage classmates having sex and posting at least one image on the Internet, his attorney said.

The Allegan County case highlighted the serious consequences of what gets posted on Web sites popular among teens. It also had some strange turns: A police officer briefly was suspended for how he handled the investigation.

Ryan Zylstra, a 2006 graduate of Wayland High School, is accused of three felonies linked to digital photos taken at his New Year's Eve party.

The sex between a 16-year-old girl and 17-year-old boy was consensual, but the photos apparently were not. Because of the girl's age, county authorities said the pictures justified charges of creating child sexually abusive material.

But after looking at the pictures, Zylstra's attorneys claim it's "not readily apparent" what the teens were doing. The only exposed body part is the young man's buttocks, and the girl is not identifiable, the attorneys said.

"The photos taken in this instance record no crime," Henry Emrich and Courtney Flanagan said in asking a judge to dismiss the case.

While that request is pending, "we have a tentative agreement to resolve the matter" with a plea bargain in a few weeks, Flanagan said Wednesday. "It's not a manufacturing pornography charge."

A felony charge of improper surveillance, is "one of the options," she said. "It would possibly allow for probation, but the ultimate (sentencing) decision is up to the court."

Assistant Prosecutor Margaret Bakker did not respond to requests for comment.

Wayland Officer Mark Rookus was suspended for three days in March. His initial report incorrectly said the photos were passed around Wayland High School after Christmas break.

Fathers, expectant dads invited to join new program

Friday, June 30, 2006

Jackson Citizen Patriot

Expectant fathers and those with children under age 18 can enroll in a free 14-week program sponsored by the Community Action Agency.

The Proud Fathers program will run from 6 to 8:30 p.m. Thursday nights starting July 6. Sessions will take place at Lincoln School, 154 W. Clark St.

Fathers will learn skills and attitudes that will benefit themselves, their children and their partners. They will be able to talk openly about the rewards and challenges of male parenting.

Transportation, meals and child care will be available. Incentives will be provided to those completing the program.

For more details or to sign up for the program , call Elizabeth Lowrey at 788-4800, Ext. 228.

Naked juvenile nabbed after chase

Friday, June 30, 2006

Muskegon Chronicle

A naked juvenile, who attempted to break into several residences early Thursday morning, was discovered to have been under the influence of a narcotic and was lodged at the Ottawa County Juvenile Detention Facility.

According to the Grand Haven Department of Public Safety, a naked juvenile was spotted at 2:02 a.m. in the 700 block of Pennoyer running around the neighborhood and attempting to enter residences.

Responding officers found and apprehended the suspect, who then broke free and was pursued on foot.

The suspect was chased about two blocks when he unlawfully entered a residence in the 500 block of Pennoyer. The juvenile immediately exited the residence then fought with pursuing officers.

The juvenile eventually was restrained and transported to the detention facility. No other details were available.



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GOVERNOR

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MICHIGAN DEPARTMENT OF HUMAN SERVICES
LANSING



MARIANNE UDOW
DIRECTOR

News Release

Contact: Stepheni Schlinker or Maureen Sorbet (517) 373-7394

DHS Director Seeks Local Board Candidates

June 30, 2006

LANSING - Michigan Department of Human Services (DHS) director Marianne Udow announced today that the department is seeking candidates to serve as state appointees on county DHS boards.

The three-member boards represent communities and serve in an advisory capacity to local DHS offices in every county. Two members are appointed by county Boards of Commissioners; the third member is appointed by the state DHS director.

"We are seriously committed to community partnerships," Udow said. "Community leaders know community needs. This is an opportunity for county residents to provide the DHS with local input."

Interested candidates, including incumbents, should contact their local DHS director's office listed in telephone directories under "Michigan, State ofHuman Services Department. The deadline for applications for the three-year term is August 15, 2006.

For more information about the Michigan Department of Human Services, go to www.michigan.gov/dhs